

GENERAL INFORMATION

Applicant: City of Bloomington

Request: Rezoning to modify the boundaries of the Flood Hazard (FH) Overlay District to be consistent with the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRMs)

CHRONOLOGY

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| Planning Commission | 09/15/2016 | Recommended City Council approval of modifying the boundaries of the Flood Hazard Overlay District to be consistent with FEMA's FIRMs |
| Council | 10/03/2016 | Public hearing scheduled |

STAFF CONTACTS

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BACKGROUND

On September 2, 2004, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued a Flood Insurance Rate Map (FIRM) that identified the Special Flood Hazard Areas (SFHAs), the areas subject to inundation by the base (1-percent-annual-chance) flood, in Hennepin County. Recently, FEMA completed a re-evaluation of flood hazards in Hennepin County.

On May 4, 2016 the City received a letter from FEMA, known as the Letter of Final Determination (LFD), explaining that the FIRMs for Bloomington, as well as the Hennepin County Flood Insurance Study were complete and will become effective on November 4, 2016.

The City of Bloomington currently participates in the National Flood Insurance Program (NFIP) which aims to reduce the impact of flooding on private and public structures by properly managing and enforcing floodplain regulations and providing affordable insurance to property owners. To continue participating in the NFIP the city is required to amend its existing flood hazard ordinance

by November 4, 2016. The Minnesota Department of Natural Resources (DNR) is the State Coordinating Agency for the NFIP and has been assisting the city with this change.

As part of Bloomington's flood hazard ordinance the zoning map is also being updated to match FEMA's flood hazard areas. In much of Bloomington the new map is simply a "digital capture" of the flood hazard area that was on the 2004 FEMA map. However Nine Mile Creek and the Minnesota River had updated modeling/data incorporated to further refine the flood hazard area. We expect it will be several years before FEMA updates the maps with more accurate supporting data.

The Flood Hazard (FH) Overlay Zoning District applies to 644 parcels in Bloomington before the rezoning and 583 parcels in Bloomington after the rezoning (see enclosed map). The boundaries are changing slightly on almost all of these parcels. In some cases the flood hazard area is shrinking and in other cases it is expanding. In most cases, the changes do not impact structures. All impacted parcels have received direct mail notice as did all parcels within 500 feet of the rezoning. In total 3,337 public hearing notices were sent out. The City has made available a website (www.BloomingtonMN.gov keyword "flood hazard") discussed in the notice where the public can zoom in and examine the proposed boundary changes in detail.

There are a total of 22 private parcels in Bloomington with principal structures that appear to be located in the flood hazard area. The city has sent letters notifying the owners of the parcels that they appear to have principal structures located in the updated flood hazard area. Eleven of the 22 parcels are new to the flood hazard area as a result of the updated FEMA maps. These property owners were advised of their need to purchase flood insurance unless they can show they are at an elevation higher than the flood elevation and get a Letter of Map Amendment (LOMA) from FEMA. If the principle structure on a parcel is indeed lower than the flood elevation, owners can take action soon to greatly reduce what they pay for flood insurance. They can get an extra year of highly discounted flood insurance if they purchase the "Preferred Risk Policy" (PRP) more than 30 days before the new maps are effective on 11/4/2016.

FEMA must receive a signed, certified, and in-effect ordinance no later than November 4, 2016. To allow sufficient time for processing and transmittal, the DNR has requested that all materials be provided to the DNR no later than November 1, 2016. If FEMA has not received the documentation by the map effective date, FEMA will suspend the City from the National Flood Insurance Program.

RECOMMENDATION

The Planning Commission and staff recommend the following motion:

In Case PL2016-144, I move adopt a rezoning ordinance as attached to the staff report modifying the boundaries of the Flood Hazard (FH) Overlay District to be consistent with updated Flood Insurance Rate Maps (FIRMs) prepared by the Federal Emergency Management Agency.